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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,889	06/21/2000	Christopher Kershaw	SCHW-800-(US)	6362
29585	7590	08/27/2004	EXAMINER	
GRAY CARY WARE & FREIDENRICH LLP 153 TOWNSEND SUITE 800 SAN FRANCISCO, CA 94107			CHUONG, TRUC T	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 08/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/598,889

Applicant(s)

KERSHAW ET AL.

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to Amendment B, filed 06/03/04.
2. Claims 1-15 are pending in this application. In the Amendment B, claims 1, 7, 12 and 15 are independent claims, and claims 1-3, 7-8, 10, and 12-15 are amended. This action is a non-final rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, and 3-15 are rejected under 35 U.S.C. 102(e) as being anticipate by Johnson et al. (U.S. Patent No. 6,067,525).

As to claim 1, Johnson teaches a method for comparing information from a plurality of items on a visual display (e.g., col. 4 lines 20-35, col. 5 lines 13-30, col. 12 lines 44-65, and figs. 3-4 & 8), comprising the steps of

(a) identifying with a common tag, passages in the information for each of the plurality of different items which relate to a category of information (a product module 402 is integrated to export a sample of any product information side-by-side with competitor's product information

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by inserting tags using the product module 402 and automatically inserted as a section of a proposal generated using the proposal module 412, e.g., col. 12 lines 43-65, and fig. 4);

(b) providing a different display area in the visual display for each of the plurality of different items (the competitive comparison module 420, also provides the ability to present the company's product information side-by-side with a competitor's product information, col. 12 lines 43-65 or col. 15 lines 58-67); and

(c) displaying in each of the display areas the passages from each of the plurality of different items which are identified by a designated common tag, so that the passages are observable at the same time (inserting the tags related to the product and only the selected information of that product will be displayed side-by-side with the competitor's product for comparing, col. 12 lines 43-65, and fig. 4, figs. 3-4 & 8, and col. 15 lines 58-67).

As to claim 3, Johnson teaches the method of claim 1 wherein the information about the plurality of different items is found in reports compiled for each of the plurality of items, and each of the common tags is an anchor link (inserting the tags related to the product and only the selected information of that product will be displayed side-by-side with the competitor's product for comparing, col. 12 lines 43-65, and fig. 4, figs. 3-4 & 8).

As to claim 4, Johnson teaches the method of claim 3 wherein the reports are compiled by an information server (a server-based back office system 200, col. 7 line 58-col. 8 line 21).

As to claim 5, Johnson teaches the method of claim 4 wherein the information server inserts the common tags into the reports (the tagged information product will be shown on the comparison module 420, col. 11 line 20-col. 12 line 65, and the customer information collected

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which can also be tagged and printed as a section of a proposal generated using the proposal module 412, col. 13 lines 24-35, figs. 3-4, 8, 15A-B).

As to claim 6, Johnson teaches the method of claim 4 wherein the information server is located remotely from the visual display (remote data source may be implemented in real-time utilizing two-way data sharing across a network communications provider, e.g., col. 11 lines 39-47).

As to claim 7, Johnson teaches a method of providing comparative information in an image displayed by a visual display about a plurality of different items, wherein information about the plurality of different items includes portions relating to common topics, and further wherein the portions on common topics are identified in the information by identifying tags (see claim 1 above), the method comprising the steps of

- (a) providing a navigational frame in the displayed image (The salesperson is able to view guidelines and recommendations for each step, col. 21 lines 1-29, and col. 35 lines 25-49);

- (b) providing a plurality of dynamic frames in the displayed image (e.g., col. 11 line 20-col. 12 line 65, col. 5 lines 13-30, col. 11 line 20-col. 12 line 65, and figs. 4, 15A-B);

- (c) receiving in the navigational frame a user designation of the different items to be compared (e.g., col. 12 lines 43-65 or col. 15 lines 58-67);

- (d) display simultaneously in each of the dynamic frames information about the different items designated to be compared (a product module 402 is integrated to export a sample of any product information side-by-side with competitor's product information by inserting tags using the product module 402 and automatically inserted as a section of a proposal generated using the proposal module 412, e.g., col. 12 lines 43-65, and fig. 4, or col. 15 lines 58-67).

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As to claim 8, it can be rejected under similar rational as claim 7. Note the rejection of claim 7 above.

As to claim 9, Johnson teaches the method of claim 7 further including the step of compiling the information about the plurality of items in a server located remotely from the visual display (e.g., col. 11 lines 39-47, using different APIs in communications, col. 8 lines 22-44).

As to claim 10, Johnson teaches the method of claim 9 further including the steps of
(a) sending a request to the server for reports about the items designated in the navigational frame (the sales process is stored and retrieved for a database, e.g., col. 4 lines 28-36);

(b) compiling in the sever the requested reports (A report manager tool is also provided in the system administration subsystem 215 to handle audit reports, data books and other documents, e.g., col. 9 lines 31-38); and

(c) communicating the requested reports to the visual display (the tagged information product will be shown on the comparison module 420, col. 12 lines 43-65, and fig. 4, and the customer information collected which can also be tagged and printed as a section of a proposal generated using the proposal module 412, col. 13 lines 24-35, figs. 3-4, 8, 15A-B, e.g., col. 17 lines 15-38, and figs. 15A-C).

As to claim 11, Johnson teaches the method of claim 10 wherein the compiling step includes the step of assembling frames for the reports corresponding to each of the portions on the common topics (the tagged information product will be shown on the comparison module 420, col. 12 lines 43-65, and fig. 4, and the customer information collected which can also be

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tagged and printed as a section of a proposal generated using the proposal module 412, col. 13 lines 24-35, figs. 3-4, 8, 15A-B, col. 12 lines 43-65 or col. 15 lines 58-67).

As to claims 12-14, they are apparatus claims of method claims 7-8, and 10. Note the rejections of claims 7-8, and 10 above respectively.

As to claim 15, it is individually similar in scope to claim 10 above; therefore, rejected under similar rationale.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. Patent No. 6,067,525) in view of Freidman et al. (U.S. Patent No. 6,360,188 B1).

As to claim 2, Johnson teaches the method of claim 1 wherein the plurality of different items (see claim 1 above) and the information being compared is information (the competitive comparison module 420, also provides the ability to present the company's product information side-by-side with a competitor's product information, col. 12 lines 43-65 or col. 15 lines 58-67); however, Johnson does not clearly mention that the plurality items are investments. Freidman clearly teaches banking information and investments (col. 11 line 57-col. 12 line 63, and figs. 3-5, and 7C). It would have been obvious, at the time of the invention, a person with ordinary skill in the art would have the financial display features of Freidman's financial model in Johnson's

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system to provide more flexible ways in viewing data for users by using the direct graphical representation facilitates planning operations and enables accurate, rapid and easily understandable development of plans (Abstract).

Response to Arguments

Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ringland et al. (U.S. Patent No. 5,751,829) teaches side-by-side compare information, GUI, and simultaneously displays (cols. 2-21 and figs. 6-12).

Aiken (U.S. Patent No. 6,658,626 B1) teaches simultaneously displays, comparison, and navigation links (cols. 6-21 and figs. 6-8).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

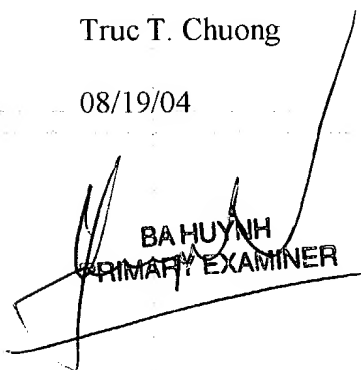
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

08/19/04


BA HUYNH
PRIMARY EXAMINER